

Message Text

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TAGS: EIND UR

SUBJ: SOVIET COPYRIGHT PRACTICE

REF: STATE 058443

1. SUMMARY: INCONTEXT OF CONTINUING FAMILIARIZATION WITH SOVIET COPYRIGHT PRACTICE, EMBOFF RAISED QUESTIONS MENTIONED IN REFTTEL DURING MARCH 29 CALL ON YU. F. ZHAROV, DEPUTY CHAIRMAN OF ALL-UNION COPYRIGHT AGENCY (VAAP). IN GENERAL, SOVIET GOVERNMENT PUBLICATIONS ARE NOT SUBJECT TO COPYRIGHT, NOR ARE COLLECTIVELY-AUTHORED WORKS PUBLISHED BY INSTITUTES, ACADEMIES, ETC. IN WHICH AUTHORSHIP NOT INDICATED. UNDER SOVIET SYSTEM, COPYRIGHT RESEIDES EXCLUSIVELY WITH AUTHOR, NOT HIS PUBLISHER. END SUMMARY.

2. AS DEPT. AWARE, SOVIET GOV'T PUBLISHES FAR LESS MATERIAL FOR GENERAL CONSUMPTION THAN DOES USG, AND, TO EMBASSY'S KNOWLEDGE, MAINTAINS NO INDIVIDUAL PRINTING FACILITY ANALOGOUS TO GPO. ACCORDING TO ZHAROV, THOSE FEW GOVT. DOCUMENTS DISTRIBUTED WIDELY ARE IN PUBLIC DOMAIN AND MAY BE REPRODUCED OR OTHERWISE UTILIZED WITHOUT REGARD TO COPYRIGHT. GOV'T DOCUMENTS IN USSR ARE USUALLY LIMITED OFFICIAL USE

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"COLLECTIVE" EFFORTS, SO THAT INDIVIDUAL AUTHORS GENERALLY

RECEIVE NO CREDIT FOR THEIR EFFORTS.

3. REGARDING INSTITUTES AND ACADEMIES (E.G., USSR ACADEMY OF SCIENCES), ALL INDIVIDUAL WORKS PUBLISHED UNDER AEGIS OF GIVEN INSTITUTION WOULD BE SUBJECT TO COPYRIGHT, SINCE AUTHORSHIP NORMALLY INDICATED. AGAIN, HOWEVER, COLLECTIVE WORKS SUCH AS PROCEEDINGS OF PRESIDUM OF ACADEMY OR INSTITUTE'S ANNUAL REPORT ARE NOT RPT NOT SUBJECT TO COPYRIGHT.

4. ZHAROV INDICATED THAT USSR NOT INTERESTED AT PRESENT IN SEEKING PROTECTION UNDER UCC FOR PUBLICATIONS NOT SUBJECT TO COPYRIGHT IN USSR BUT FOR WHICH PROTECTION COULD CONCEIVABLY BE SOUGHT UNDER TERMS OF CONVENTION. UNAUTHORED DOCUMENTS WHICH GOV'T WISHES PROTECTED CARRY INTERNATIONAL SYMBOL OF COPYRIGHT PROTECTION (SMALL LETTER "C" WITHIN A CIRCLE); ONE EXAMPLE OF SUCH MATERIAL IS "DOCUMENTS OF THE USSR-USA SUMMIT TALKS--JUNE 1973," PUBLISHED BY NOVOSTI. OTHERWISE, HOWEVER, SOVIETS NOT INTERESTED IN PROTECTING PUBLISHED MATERIAL WHICH DOES NOT BEAR NAME OF AUTHOR(S).

5. COMMENT: AS WILL BE SEEN FROM ABOVE, GUIDING SOVIET PRINCIPLE IN DOMESTIC COPYRIGHT MATTERS IS THAT OF AUTHORSHIP. IF IDENTIFIABLE AUTHOR EXISTS FOR GIVEN WORK, ONLY HE--NOT HIS PUBLISHER--CAN RECEIVE COPYRIGHT PROTECTION AND CONSENT TO USE OF HIS WORK BY OTHERS. IF MATERIAL IS COLLECTIVE WORK WITH NO AUTHORSHIP INDICATED, IS IS NOT SUBJECT TO COPYRIGHT UNLESS IT BEARS INTERNATIONAL COPYRIGHT SYMBOL.
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